

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Newport News Division**

BERNARD H. RIPLEY and DEBORAH	:	
W. RIPLEY,	:	
	:	
Plaintiffs,	:	Civil Action No.
	:	4:14-cv-00070-AWA-LRL
	:	
VS.	:	
	:	
	:	
J. HENRY HOLLAND CORPORATION,:		
et al.,	:	
	:	
Defendants.	:	
	:	

**DEFENDANTS FOSTER WHEELER LLC'S AND FOSTER WHEELER
ENERGY CORPORATION'S MOTION TO STAY ENFORCEMENT
OF REMAND ORDER PENDING APPEAL**

Defendants, Foster Wheeler LLC and Foster Wheeler Energy Corporation (collectively “Foster Wheeler”, by and through undersigned counsel, and pursuant to Rule 62 of the Federal Rules of Civil Procedure, move this Honorable Court to stay its order remanding this case back to the Virginia Circuit Courts (Dkt. 72), pending resolution of Foster Wheeler’s appeal of said remand order to the United States Court of Appeals for the Fourth Circuit. (See Dkt. 73 [Notice of Appeal].)

As more fully set forth in Foster Wheeler’s accompanying Memorandum in Support, this Court maintains jurisdiction in this instance to stay enforcement of its remand order, and good cause exists for the stay.

WHEREFORE, for the reasons set forth above and those more fully set forth in the accompanying Memorandum in Support, Foster Wheeler LLC and Foster Wheeler Energy

Corporation respectfully request that this Court enter an order staying enforcement of its prior remand order (Dkt. 72) and that the Court grant any and all such further relief as it deems appropriate.

Dated: August 21, 2015

Respectfully submitted,

FOSTER WHEELER LLC
FOSTER WHEELER ENERGY CORPORATION

By: /s/ Matthew D. Joss
Of Counsel

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**Counsel for Defendants Foster Wheeler LLC and
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CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of August, 2015, I will electronically file the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

William W.C. Harty, Esq. Erin E. Jewell, Esq. Robert R. Hatten, Esq. Donald N. Patten, Esq. Hugh B. McCormick, III, Esq. F. Alex Coletrane, Esq. PATTEN, WORNOM, HATTEN & DIAMONSTEIN, L.C. 12350 Jefferson Avenue - Suite 300 Newport News, VA 23602 Counsel for Plaintiffs	Timothy S. Brunick, Esq. Bonnie P. Lane, Esq. CLARKE, DOLPH, RAPAPORT, HULL & BRUNICK, PLC 6160 Kempsville Circle, Suite 101A Norfolk, VA 23502 Counsel for Warren Pumps, LLC and IMO Industries, Inc., As Successor in Interest to DeLaval Pumps
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And I hereby certify that I will send the document by electronic mail and first-class, postage prepaid mail with a copy of the NEF to the following non-filing users:

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